

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DR. IRAKLI GLONTI AND
DAVID DATESHIDZE,

Plaintiffs,

-against-

LEHMAN BROTHER, INC. AND
RBC DAIN RAUSCHER, INC.,

Defendants.

Civil Action No. 07-CV-10975
Hon. Colleen McMahon, U.S.D.J.

NOTICE OF MOTION

TO:

Arnold I. Kalman, Esq.
Law Offices of Arnold I. Kalman
245 South Hutchinson Street
Philadelphia, PA 19107-5722
Attorneys for Plaintiffs
Dr. Irakli Glonti and David Dateshidze

Theodore A. Krebsbach, Esq.
Theodore R. Snyder, Esq.
Krebsbach & Snyder, P.C.
1 Exchange Plaza
55 Broadway, Suite 1600
New York, NY 10006
Attorneys for Defendant Lehman Brothers, Inc.

COUNSEL:

PLEASE TAKE NOTICE that upon the Affidavit of Richard J. Franchella, and accompanying memorandum of law, the undersigned attorneys for RBC Dain Rauscher, Inc. (“RBC Dain Rauscher”) will move this Court before the Honorable Colleen McMahon, U.S.D.J. at the United States District Court for the Southern District of New York, 1920 United States Courthouse, 500 Pearl Street, New York, New York 10007-1312 for an Order 1) compelling plaintiffs to arbitrate their claims against RBC Dain Rauscher pursuant to 9 U.S.C. § 4 and 2)

staying the litigation of this action pending completion of the arbitration pursuant to 9 U.S.C. § 3.

PLEASE TAKE FURTHER NOTICE that RBC Dain Rauscher respectfully requests oral argument.

/s/ Brian F. Amery

Brian F. Amery (BA 7144)
BRESSLER, AMERY & ROSS, P.C.
17 State Street
New York, New York 10004
(212) 425-9300
Attorneys for Defendant
RBC Dain Rauscher, Inc.

DATED: January 4, 2008

CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2008, a copy of the Notice of Motion to Dismiss Complaint was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Brian F. Amery
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SERVICE LIST

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